IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

WP(C).No. 30263 of 2007(C)

PETITIONER:

ALEYKUTTY VARKEY, AGED 76 YEARS,
RESIDING AT ELAMTHURUTHIL HOUSE,
CHOVOOR P.O., NARIMATTOM,MOONILAVU VILLAGE
MEENACHIL TALUK, KOTTAYAM DISTRICT.

BY ADV. SRI.GEORGE MATHEW
SRI.A.V.TELLES

RESPONDENTS:
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1. STATE OF KERALA REP. BY REGISTRAR
OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.

2. THE KOTTAYAM DISTRICT CO-OPERATIVE BANK
LTD,ERATTUPETTA BRANCH REP. ITS MANAGER.

3. AUTHORISED OFFICER, KOTTAYAM DISTRICT
CO-OPERATIVE BANK LIMITED,
HEAD OFFICE, BUILDINGS, KOTTAYAM.

BY ADV.SRI.SUNIL CYRIAC FOR R2, R3
GOVT. PLEADER SMT.ANU SIVARAMAN FOR R1

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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W.P.(c).No.30263 OF 2007

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Dated this the 11th day of October, 2007

JUDGMENT

Petitioner availed a loan. It is not repaid. Petitioner challenges Ext.P1. Petitioner seeks the benefit of one time settlement.

2. I heard learned counsel for the respondent-Bank also. Learned counsel for the petitioner submits that petitioner may be given one year's time to pay off the entire amount due. The writ petition is disposed of as follows:

Petitioner is permitted to pay off the entire amount due with interest after the bank decides the exact amount due from the petitioner after granting any benefit that the petitioner may be entitled to in five equal monthly instalments. The respondent-bank will serve a statement on the petitioner within two weeks from today intimating the amount to be paid after granting any benefit that the petitioner is legally entitled to and also fixing the exact amount of instalments that the petitioner has to pay in terms of this judgment. The first instalment shall be payable on

or before 15/11/2007. Further instalments are to be paid on or before the 15th of every succeeding months. If any of the instalments is not paid by the petitioner, it will be open to the respondent-Bank to proceed against the petitioner in accordance with law.

(K.M.JOSEPH, JUDGE)

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